



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

CC

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,954	02/04/2002	David Frederick Lewin	24895B	6057

22889 7590 11/04/2002

OWENS CORNING  
2790 COLUMBUS ROAD  
GRANVILLE, OH 43023

EXAMINER

FOSTER, JIMMY G

ART UNIT

PAPER NUMBER

3728

DATE MAILED: 11/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
**10/066,954**

Applicant(s)  
**Lewin et al.**

Examiner  
**Jimmy G. Foster**

Art Unit  
**3728**



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Feb 4, 2002
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 15-18 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 1,5,5 6) ☐ Other:

Art Unit: 3728

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Townsend (3,375,047). The examiner asserts that multi-strand rope constitutes texturized strand since the body of strands is twisted to unify the . The rope/texturized strand 9 of Townsend is coiled into a container 10,11/10'11' in multiple layers (Fig. 1), and a removable lid is placed on the container.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 3728

4. Claims 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mattis (3,966,877 in view of Mackie et al (4,159,297). Mattis discloses packaging strand/tow that has been crimped (column 6, lines 20-29) by placing the strand in a carton which has flaps (see Figs. 2 and 3), wherein the flaps are maintained closed by a gummed tape.

The closure of the flaps would be inherently removable by cutting the tape to open the flaps.

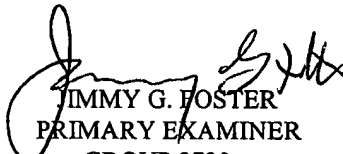
Although the reference of Mattis does not disclose a coiled crimp configuration for the strand, the reference of Mackie et al, at column 4, lines 39-56 and column 6, lines 12-24, suggests that tow which is to be packaged may be coiled for the purpose of making the tow easier to handle or to give it more body. Accordingly, it would have been obvious in view of Mackie et al to have made the crimp of the tow of Mattis as a coiled crimp to the tow easier to handle or to give the tow more body.

5. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over the references as applied to claim 15 above, and further in view of Galanes (3,670,949). The reference of Galanes at column 4, lines 55-64 suggests that corrugated cardboard is a suitable material in cartons for giving the walls of the cartons strength. Accordingly, it would have been obvious in view of Galanes to have made the carton of Mattis, as modified above, of corrugated cardboard to give the carton strength.

Art Unit: 3728

6. For contacting the PTO by phone, the following contact numbers may be used:

For tracking of papers and association of papers with cases --  
Customer Service. . . (703)306-5648  
For matters regarding examination -- Examiner:  
Jim Foster . . . . . (703)308-1505  
For faxing of correspondence:  
Draft amendments only-(703)308-7769  
(Examiner should be notified of fax)  
Formal correspondence-(703)305-3579 or 305-3580  
RIGHT FAX-Before Final . . (703) 872-9302  
-After Final . . . (703) 872-9303  
(The examiner ordinarily will not retrieve formal correspondence)  
For petitions:  
Before the Examiner . (703)308-1505  
Before the Director . (703)308-3872  
Other petitions . . . (703)305-9282

  
JIMMY G. FOSTER  
PRIMARY EXAMINER  
GROUP 3720

JGF  
November 1, 2002